

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

SONY BMG CD  
TECHNOLOGIES LITIGATION

Case No. 1:05-cv-09575-NRB

**DECLARATION OF BRIAN J. ROBBINS IN SUPPORT OF PLAINTIFFS'  
CLASS COUNSELS' APPLICATION FOR ATTORNEYS' FEES AND  
REIMBURSEMENT OF EXPENSES**

I BRIAN J. ROBBINS declare as follows:

1. I am an attorney in good standing, duly licensed and admitted to the State of California on November 29, 1997. I am a partner of Robbins Umeda & Fink, LLP, counsel of record for Maria Nielson ("Nielson") in *Nielson v. Sony BMG Entm't Corp.*, Case No. 1187137. A true and correct copy of my firm's resume is attached hereto as Exhibit A and incorporated by reference herein. Hollister & Brace also served as counsel of record in *Nielson v. Sony BMG Entm't Corp.* A true and correct copy of the Martindale-Hubbell listing for Hollister & Brace is attached hereto as Exhibit B.

2. I submit this declaration in support of Plaintiffs' Class Counsels' application for attorneys' fees and reimbursement of expenses in the above-entitled matter. The testimony set forth in this declaration is based on first-hand knowledge, about which I would and could testify competently in open court if called upon to do so, and on contemporaneously-generated records kept in the ordinary course of business.

3. The total number of professional hours expended in the litigation by Robbins Umeda & Fink, LLP is 104.25 hours. The total lodestar amount for attorney, paralegal and professional staff time expended by Robbins Umeda & Fink, LLP in the course of the litigation, based upon current rates, is \$26,608.25. The chart attached hereto as Exhibit C was prepared at my direction and presents a summary of the time spent from December 7, 2005 through March 31, 2006 by attorneys, paralegals, and professional staff of the firm on the litigation. The chart includes the name of each attorney, paralegal, and professional staff member who has worked on the case, his or her current hourly billing rate, and the number of hours expended by each professional on this matter. The time reflected in this declaration was time actually spent, in the exercise

of reasonable judgment, by the lawyers and staff involved. The attorneys and legal professionals identified in Exhibit C spent time on matters that were essential to the prosecution and resolution of the litigation, including research, investigation, drafting the complaint, drafting discovery requests and conferring with co-counsel and defense counsel. My firm was careful not to expend unnecessary hours and not to duplicate work done by others.

4. The total number of professional hours expended in the litigation by Hollister & Brace is 7.5 hours. The total lodestar amount for attorney time expended by Hollister & Brace in the course of the litigation, based upon current rates, is \$2,025. The chart attached hereto as Exhibit D was prepared at my direction and presents a summary of the time spent from December 12, 2005 through March 30, 2006 by attorneys of the firm on the litigation. The chart includes the name of each attorney who has worked on the case, his or her current hourly billing rate, and the number of hours expended by each professional on this matter. The time reflected in this declaration was time actually spent, in the exercise of reasonable judgment, by the lawyers involved. The attorneys identified in Exhibit D spent time on matters that were essential to the prosecution and resolution of the litigation, including research, investigation, reviewing the complaint, filing the complaint and conferring with co-counsel. Hollister & Brace was careful not to expend unnecessary hours and not to duplicate work done by others.


5. Robbins Umeda & Fink, LLP expended a total of \$882.28 in unreimbursed expenses in connection with prosecution of the litigation on behalf of Nielson. The expenses incurred in this case are reflected in the books and records of the firm. These books and records are prepared from expense vouchers, check records and

other contemporaneously-recorded billing records, and are an accurate record of expenses incurred in this litigation. The chart attached hereto as Exhibit E, also prepared at my direction, details these expenses.

6. Hollister & Brace expended a total of \$865.83 in unreimbursed expenses in connection with prosecution of the litigation on behalf of Nielson. The expenses incurred in this case are reflected in the books and records of the firm. These books and records are prepared from expense vouchers, check records and other contemporaneously-recorded billing records, and are an accurate record of expenses incurred in this litigation. The chart attached hereto as Exhibit F, also prepared at my direction, details these expenses.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 31st day of March, 2006, at San Diego, California.

  
BRIAN J. ROBBINS

# EXHIBIT A

**ROBBINS UMEDA & FINK, LLP**  
ATTORNEYS AT LAW

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**FIRM RESUME**

**ROBBINS UMEDA & FINK, LLP**

Robbins Umeda & Fink, LLP (the "Firm") specializes in the nationwide prosecution of class and representative actions. The Firm is dedicated to vindicating the rights of shareholders, employees, consumers, and small businesses by passionately litigating these actions in state and federal courts throughout the United States. The Firm focuses on the prosecution of securities fraud actions, shareholder derivative actions, corporate merger actions, and ERISA/401K class actions brought in connection with publicly traded companies against their officers, directors, auditors, and investment banking firms. In addition, the Firm also litigates several consumer fraud and antitrust class actions. By doing so, the Firm has successfully negotiated several noteworthy settlements for its clients.

For example, in a recent securities class action in San Diego, *In re Titan, Inc. Sec. Litig.*, Master File No. 04-CV-0676-LAB (NLS) (S.D. Cal.), the Firm, serving in a Co-Lead Counsel capacity, was able to secure a \$61.5 million settlement on behalf of the Class. This amounted to half of the estimated damages to the class and far exceeded the normal settlement gained in this type of case. It was also one of the largest securities fraud class action settlements in San

Diego's history. The Firm's lawyers also negotiated a settlement in *In re Nicor, Inc. S'holder Derivative Litig.*, Case No. 02 CH 15499, a shareholder derivative action in the Circuit Court of Cook County, Illinois, which resulted in personnel changes among Nicor's executive officers and board members, as well as securing \$33 million for Nicor. In recognition of the hard work and significant benefits conferred during the litigation, the Honorable Sophia H. Hall, presiding Judge for the court, stated "Thank you very much for the good work that you all did. And I think that your stockholders will appreciate it, too. Thank you very much." Recently, the Firm secured a settlement of *In re OM Group, Inc. Derivative Litig.*, Case No. 1:03CV0020 (N.D. Ohio). As part of this resolution, the company received a \$29 million benefit, the termination of OM Group's long term CEO, the addition of two shareholder nominated directors, and numerous other highly beneficial corporate governance matters.

The Firm's reputation for excellence has been recognized on repeated occasions by various courts throughout the country by appointing the Firm to leadership positions in complex class and derivative actions. The Firm currently serves as lead counsel in several high profile complex actions around the country. See *In re American International Group, Inc. Derivative Litig.*, Case No. 04 Civ. 08406 (S.D.N.Y.); *In re Forest Labs., Inc. Derivative Litig.*, Case No. 05-CV-3489 (S.D.N.Y.); *Pringle v. Merck & Co., Inc., et al.*, Case No. 03-3125 (D.N.J.); *In re Tenet Healthcare Corporation Derivative Litig.*, Case No. 01098905 (Santa Barbara Super. Ct.); *In re DHB Industries, Inc. Derivative Litig.*, Case No. CV-05-4345 (E.D.N.Y.).

## **MEMBERS**

### **BRIAN J. ROBBINS**

Brian J. Robbins, the Managing Partner and Co-Founder of the Firm, has been an active

litigator of shareholder, employee, consumer, and small business rights for several years. In addition to prosecuting actions for which he has principal responsibility, Mr. Robbins oversees and coordinates the work of the Firm's nearly 50 employees and all its litigation departments. As a litigator, Mr. Robbins has negotiated several noteworthy settlements of complex actions and successfully argued several noteworthy legal issues.

For example, Mr. Robbins was the lead negotiator for the derivative plaintiffs in *Harbor Finance Partners v. McGhan, et al.*, No. H-02-0761 (S.D. Tex.), litigation filed on behalf of Hanover Compressor Company. The "groundbreaking" and "unprecedented" Hanover settlement resulted in, among other things, a \$26.5 million payment to the company, the return of 2.5 million shares to the company, the appointment of two shareholder nominated directors and the agreement to rotate the company's auditing firm. *See This Settlement Raises the Governance Bar; Hanover Compressor's Landmark Agreement with Shareholders to Embrace Major Corporate Reforms Could Have Profound Repercussions*, Stephanie Anderson Forest, BusinessWeek Online, May 15, 2003. Additionally, Mr. Robbins, as sole lead counsel, recently settled *In re OM Group, Inc. Derivative Litig.*, Case No. 1:03CV0020 (N.D. Ohio). As part of this resolution, Mr. Robbins helped secure \$29 million for OM Group, the termination of OM Group's long term CEO, the addition of two shareholder nominated directors, and numerous other highly beneficial corporate governance matters. Mr. Robbins negotiated another groundbreaking settlement to resolve *In re Dynegy, Inc. Derivative Litig.*, Lead Case No. 2002-25250 (Harris County, TX, 164th Judicial District). This settlement acknowledged the role of the litigation in implementing extensive corporate governance reforms including: replacement of 11 members of the Board of Directors and several key officers, adoption of extensive measures



specifically designed to increase the independence of the Board of Directors and its various committees, and the establishment of new committees and senior positions to specifically enhance ethics and compliance efforts, as well as the integrity of the Company's financial reports, and assisted the company in securing a \$150 million benefit, and implemented several critical and necessary corporate governance practices. Mr. Robbins also served in a Co-Lead Counsel capacity in *Larret v. Robertson, et al.*, Lead Case No. GIC754696 (S.D. Super. Ct.), a shareholder derivative action brought on behalf of MP3.com, Inc. ("MP3") which resulted in MP3's adoption of extensive corporate governance measures designed to specifically increase the independence of the board of directors and its committees and the transparency of any trading by insiders. In another shareholder derivative action settled through Mr. Robbins' efforts and the efforts of the Firm, the Honorable Robert S. Lasnik stated:

"Well, I did review the papers here and I think you've actually set the bar kind of high for future settlements. This looks like an excellent result for the various class members in both the derivative action and the other action.... And it's to the credit of the lawyers that they were able to achieve this result before a lot of discovery and a lot of expenses were undertaken.... And so, I would be quite delighted and satisfied to make the necessary findings that this is an excellent settlement for plaintiffs."

*In re Cutter & Buck Sec. Litig.*, No. C02-1948L, Hearing on Settlement Transcript at 6-7 (W.D. Wash. Dec. 2, 2003).

Mr. Robbins has also negotiated several very highly beneficial settlements of securities fraud class action lawsuits. In a recent securities fraud class action in San Diego, *In re Titan, Inc. Sec. Litig.*, Master File No. 04-CV-0676-LAB (NLS) (S.D. Cal.), Mr. Robbins, along with his firm, serving in a Co-Lead Counsel capacity, were able to secure a \$61.5 million settlement on behalf of the Class. This amounted to half of the estimated damages to the class and far

exceeded the normal settlement gained in this type of case. It was also one of the largest securities fraud class action settlements in San Diego's history. Mr. Robbins, as the lead attorney for his prior firm in *Garza, et al. v. J.D. Edwards & Co., et al.*, Case No. 99-1744 (D. Col.), also helped secure over a \$15 million recovery for a class of purchasers of J.D. Edwards & Co. stock.

Likewise, Mr. Robbins has also helped settle numerous other complex class action lawsuits. For example, Mr. Robbins played a pivotal role in *Supnick v. Amazon.com, Inc., et al.*, Case No. C-00-0221-P (W.D. Wash.), litigation which resulted in a \$3.8 million cash recovery for the class and critical injunctive relief protecting the privacy of class members and other users of the Internet.

Mr. Robbins has also been at the forefront of litigation on several novel legal topics. For example, as Co-Lead Counsel in a class action brought on behalf of Internet users who had allegedly had their privacy violated because of the design of certain web pages, Mr. Robbins successfully briefed an opposition to a motion to dismiss brought by defendant Website operator Intuit, Inc. ("Intuit"). The issue, whether Intuit violated sections of the Electronic Communications Privacy Act through the manipulation of cookies placed on its visitors' computers, was a novel and untested application of the law. The court denied the defendant's motion to dismiss plaintiffs' cause of action based upon a violation of 18 U.S.C. §2701, *et seq.*, which prohibits unauthorized access to facilities where electronic communication services are provided. *See In re Intuit Privacy Litig.*, 138 F. Supp. 2d 1272 (C.D. Cal. 2001). This success eventually secured a settlement that resulted in numerous privacy protections provided to the class and future users of the quicken.com Website.

In *In re Toys R Us, Inc. Privacy Litig.*, Mr. Robbins successfully opposed a motion to dismiss claims brought under the Electronic Communications Privacy Act by Toys R Us, Inc. and Coremetrics, Inc. in an action alleging surreptitious monitoring of the activities of the users of the toysrus.com website. Despite the highly technical nature of these types of claims, Mr. Robbins was able to help defeat a motion to dismiss a 18 U.S.C. §2520 claim against Coremetrics and a 18 U.S.C. §1030 claim against Toys R Us and Coremetrics. *See In re Toys R Us, Inc. Privacy Litig.*, No. 00-CV-2746, 2001 WL 34517252 (N.D. Cal. Oct. 9, 2001). The upholding of these claims against website providers was believed to be the first of their kind. This success lead to a settlement that provided significantly enhanced privacy protections to future users of the toysrus.com Website.

Mr. Robbins has also successfully briefed two issues of first impression as to whether removal of a shareholder derivative action to federal court based upon federal question grounds was proper. In a shareholder derivative action brought on behalf of JDS Uniphase Corporation ("JDS"), the defendants removed the case claiming that a shareholder derivative action based on similar factual allegations as a securities fraud class action brought against JDS and certain of its officers was not an "exclusively derivative" action under the Securities Litigation Uniform Standards Act of 1998 ("SLUSA") and thus SLUSA authorized removal of the action. Mr. Robbins, however, successfully argued that the similarity of the factual allegations could not alter the derivative nature of the action and the case was therefore not removable under SLUSA and should be remanded. *See Coykendall v. Kaplan*, 2002 U.S. Dist. LEXIS 22483 (N.D. Cal. Aug. 1, 2002). As Co-Lead Counsel in a shareholder derivative action brought on behalf of L90, Inc. ("L90"), Mr. Robbins, on another issue of first impression, was also successful in arguing

that the removal provisions of SLUSA were not applicable to a shareholder derivative action because that action also included a class action claim seeking to protect the voting rights of L90's shareholders on equitable grounds. *See Shen v. Bohan*, 2002 U.S. Dist. LEXIS 22485 (C.D. Cal. Oct. 16, 2002). Mr. Robbins has also successfully briefed to the Supreme Court of Texas that a trial court's determination of whether a plaintiff has adequately alleged that a demand to initiate suit upon a company's board of directors would have been a futile and useless act is not an issue justifying interlocutory review. *See In re Dynegy, Inc.*, No. 03-0768, Order (Sup. Ct. Tex. Sept. 8, 2003).

Currently, Mr. Robbins is also acting as lead counsel or as an executive committee member in several other complex litigation matters. Mr. Robbins is also commonly acknowledged as a prominent and respected litigator in his field as evidenced by a recent invitation by the Washington State Bar Association to be a panelist for "After the Storm: Securities and Corporate Litigation in the Post-Sarbanes World" at its 26th Annual Northwest Securities Institute.

Mr. Robbins graduated in only two and one-half years from the University of California at Berkeley with a Bachelor of Arts degree in Sociology in 1993. Mr. Robbins then received his law degree from the Vanderbilt School of Law in 1997. While at Vanderbilt, Mr. Robbins received the top score in constitutional law, corporate law, corporate and securities transactions, and soviet law and was a research assistant for two very well respected corporate and securities law professors: (1) Professor Donald C. Langevoort, the Lee S. and Charles A. Speir Professor at Vanderbilt University School of Law, former Special Counsel for the U.S. Securities and Exchange Commission in the Office of the General Counsel, co-author, with Professors James

Cox and Robert Hillman, of Securities Regulation: Cases and Materials, the author of Insider Trading: Regulation, Enforcement and Prevention, and author of many law review articles, a number of which seek to incorporate insights from social psychology and behavioral economics into the study of corporate and securities law and legal ethics. Professor Langevoort also has testified numerous times before Congressional committees on issues relating to insider trading and securities litigation reform; and (2) Professor Larry D. Soderquist, one of the best known and most respected corporate and securities law professors in America, who has authored numerous books and articles on these subjects, including Understanding the Securities Laws, the most widely distributed book of its kind. Professor Soderquist also was the Director of Vanderbilt's Corporate and Securities Law Institute. After graduating from Vanderbilt Law School, Mr. Robbins received his LL.M. in Securities and Financial Regulation from the Georgetown University Law Center in 1998. Mr. Robbins is licensed to practice in the State of California, the State of Connecticut, and the United States District Courts for the Central, Northern and Southern Districts of California, the District of Colorado and the United States Court of Appeals for the Fifth Circuit.

#### **MARC M. UMEDA**

Mr. Umeda is Co-Founder and a Principal of the Firm. Mr. Umeda earned his Bachelor of Arts Degree in Political Science from the University of California at Berkeley in 1994 and his law degree from the University of San Diego School of Law in 1998, where he received the top score in Criminal Law and Property Law. Mr. Umeda was also a member of the *San Diego Law Review* and a Dean's Scholarship and Richardson Scholarship recipient. Mr. Umeda is licensed to practice law in the State of California, the United States District Courts for the Northern,

Central and Southern Districts of California and the United States Court of Appeals for the Fourth Circuit.

Mr. Umeda has practiced complex litigation throughout his legal career and devotes all of his time to the area of complex shareholder litigation, including securities fraud and shareholder class and derivative actions nationwide. Mr. Umeda is the lead attorney responsible for the day-to-day management of many complex shareholder derivative actions. In this capacity, Mr. Umeda has successfully written and argued numerous discovery and dispositive motions. Mr. Umeda has also negotiated the settlements of numerous class and shareholder derivative actions. For example, Mr. Umeda was one of the lead counsel in the *In re Nicor, Inc. Shareholder Derivative Litigation*, Case No. 02 CH 15499, a shareholder derivative action in the Circuit Court of Cook County, Illinois. His efforts were a meaningful factor in the personnel changes among the company's executive officers and Board members, as well as the securing of \$33 million for the company. In recognition of the hard work and significant benefits conferred during the litigation, the Honorable Sophia H. Hall, Presiding Judge for the court, stated "Thank you very much for the good work that you all did. And I think that your stockholders will appreciate it, too. Thank you very much." Mr. Umeda was also described as "an excellent lawyer" who is "trying to do the best possible job he can for [his client]" by the Honorable Mark R. Forcum of the Superior Court of California, County of San Mateo.

Mr. Umeda, on behalf of the Firm, was also appointed co-lead counsel by the court in *Imler, et al. v. AES Corporation, et al.*, No. 1:03-CV-00194-LJM-WTL (S.D. Ind.), to head the securities fraud class action litigation against AES Corporation and certain of its officers, wherein he assisted in the recovery of \$5 million for the class of stock purchasers. Mr. Umeda

has also secured extensive corporate governance reforms in numerous shareholder derivative actions throughout the nation.

**JEFFREY P. FINK**

Mr. Fink is Co-Founder and a Principal of the Firm. Mr. Fink received his Bachelor of Science degree in Finance from the University of Rhode Island in 1986. Thereafter, Mr. Fink served Cowen and Company and its institutional, options and arbitrage departments as a Floor Clerk on the American Stock Exchange. Mr. Fink then earned his Master of Science in Hotel Administration from the University of Nevada Las Vegas in 1995 where he was awarded the Outstanding Graduate Research Award for his paper "The Impact on Clark County Gaming Revenues from the Proliferation of Gaming Throughout the Country." While earning his degree, Mr. Fink worked for Mirage Resorts in Las Vegas, Nevada conducting casino analysis. In 1998, Mr. Fink received his law degree from the University of San Diego School of Law. Mr. Fink is licensed to practice in the State of California, the United States District Courts for the Northern, Central and Southern Districts of California, the Eastern District of Wisconsin, and the United States Court of Appeals for the Ninth Circuit.

Mr. Fink has extensive experience in litigating complex insurance class action cases, securities arbitration cases, consumer fraud cases, invasion of privacy and wiretapping cases, shareholder derivative cases, ERISA class actions and securities fraud cases. Mr. Fink's expertise has been recognized on numerous occasions by courts who have appointed him to leadership positions charged with prosecuting complex litigations on behalf of plaintiffs.

**OF COUNSEL**

**BENJAMIN ROZWOOD**

Mr. Rozwood is Of Counsel to the Firm. Mr. Rozwood received his J.D. from Harvard Law School in 1994, where he served as President of the International Law Society and was awarded the Reginald Lewis International Fellowship. Prior to law school, Mr. Rozwood graduated *magna cum laude*, Phi Beta Kappa, and as a Regents Scholar from UCLA in 1991.

Prior to joining the Firm, Mr. Rozwood spent six years in the securities and insurance litigation practice groups of O'Melveny & Myers LLP, one of the top firms in California and internationally. Mr. Rozwood also previously served as a corporate finance associate handling public and private, debt and equity offerings, combination transactions, tender offers, and related SEC filings. Mr. Rozwood has broad experience in corporate and securities litigation matters involving inadequate business and financial data reporting, GAAP noncompliance, insider trading, and illegal product pricing and sales practices in various industries including finance, energy, entertainment, communications, insurance, and the Internet. Some of Mr. Rozwood's complex litigation experience includes:

- Defeating a suit by bondholder plaintiffs to enjoin a \$12.9 billion debt exchange offer;
- Serving as counsel to the Audit Committee of a board of directors of a publicly traded company investigating certain accounting entries when the company's outside auditor expressed concerns before a scheduled earnings announcement. As part of this process, Mr. Rozwood interviewed current and former company employees including the CEO, CFO, and Controller, analyzed relevant books and records, reviewed company policies and procedures, and prepared conclusions and recommendations for presentation to the Audit Committee;
- Working on several securities fraud class actions, taking the lead role in researching and writing motions to dismiss, including the review of analyst reports, news releases, and SEC filings, and analysis of pleading requirements and "forward-looking" statement safe harbor issues. Mr. Rozwood also has significant experience interviewing witnesses in



such cases, before and after the commencement of formal discovery;

- Successfully defending several executives of a de-listed public company in a suit brought by sophisticated foreign investors alleging fraud and breach of contract in a "death spiral" PIPE transaction. Mr. Rozwood was responsible for mapping out and executing the discovery plan, taking and defending depositions, presenting arguments at the mediation, supervising a team of over 10 lawyers and staff to execute an expanded discovery and dispositive motion strategy, and successfully writing and arguing key motions for summary adjudication. Mr. Rozwood's representation resulted in his client paying nothing and plaintiffs making a significant payment to Mr. Rozwood's client in settlement of its cross-claims;
- Researching, preparing and arguing a motion to compel NASD arbitration in a case involving complex securities and insurance products. Mr. Rozwood negotiated the protective order and handled all fact development and legal issues, including the respective duties of broker/dealers and issuers in those transactions. Based on witness interviews and review of key documents, Mr. Rozwood prepared the Statement of Answer, including a cross-claim for indemnity, wrote the mediation brief, presented the case at mediation, handled all negotiations and settled the case without his client paying anything. Mr. Rozwood also prevailed on the cross-claim for indemnity;
- Representing a major insurance company in shaping case strategy and organizing and supervising a team of associates to execute a discovery plan in an arbitration that went to trial before a panel of AAA arbitrators. Mr. Rozwood took and defended numerous depositions, and prepared and prevailed on a motion to compel key witnesses and documents. Mr. Rozwood also reviewed and analyzed key documents, including the Underwriting and Quota Share Reinsurance Agreements and damages production, and worked with damages expert to prepare his report. After researching relevant fiduciary duty principles for agents in insurance law contexts, Mr. Rozwood drafted the trial brief on that point and addressed form and rate filings with regulatory authorities and related actuarial justifications. After Mr. Rozwood cross-examined the other side's chief actuary and underwriter at trial, Mr. Rozwood's trial team defeated all adverse claims, and their client prevailed on some of its affirmative claims;
- Researching and preparing the opposition to plaintiffs' motion for a temporary restraining order and settling the case on favorable terms for his client before the hearing in a trademark infringement action brought by a major computer company;
- Researching and revising a demurrer based on plaintiff's improper joinder of defendants, and obtaining an outright dismissal of the suit in a unfair premium refund practices complaint alleging violations of Cal. Bus. & Prof. Code §17200 brought against a Bermuda-based property and casualty reinsurer; and
- Working on a trial team that defeated a \$100 million claim at trial for tortious business

practices and contract breaches against one of the largest telecommunications services companies in the world. Mr. Rozwood researched and wrote numerous motions *in limine*, worked with statistics expert to prepare rebuttal declaration testimony supporting same, and drafted portions of the trial brief.

Mr. Rozwood also has extensive experience representing studios and television networks in a variety of assignments, including researching and writing anti-SLAPP motions, and successfully demurring to a false advertising suit on first amendment grounds. Mr. Rozwood has also represented the executives of a top network in negotiating an extension to showrunner team's production contract in connection with renewal of a well-known TV series.

Mr. Rozwood has handled numerous contract and copyright claims and AFMA arbitrations, including several arbitrations relating to pre-sales and delivery disputes arising out of distribution contracts, and a suit to recover a Minimum Guarantee advance payment based on failure to meet delivery specifications.

Mr. Rozwood now focuses his litigation efforts on representing shareholders, consumers and employees in complex class and representative actions in California and throughout the United States.

## **ASSOCIATES**

### **CAROLINE ANN SCHNURER**

Ms. Schnurer graduated with a Bachelor of Arts degree in Politics from Scripps College in Claremont, California in 1995. She earned her law degree at the University of Notre Dame Law School in South Bend, Indiana in 1999. Ms. Schnurer is licensed to practice in the State of California.

Upon graduation from law school, Ms. Schnurer began an extensive practice in estate planning, probate, trust administration, conservatorships, elder law, and probate and trust

litigation in Palm Springs, California. After moving to San Diego, Ms. Schnurer has concentrated her practice in the litigation of complex class actions, securities fraud and shareholder derivative actions. In the context of shareholder derivative claims, Ms. Schnurer has been successful in remanding shareholder derivative suits from federal court to state court. For example, in *Rabin v. Antioco, et al.*, No. 03CV1058 D (N.D. Tex.), a shareholder derivative suit brought on behalf of Blockbuster, Inc., the defendants removed the case to federal court based upon plaintiff's allegations of the defendants' violations of federal securities laws. Ms. Schnurer successfully argued that the allegations of the defendants' violations of federal securities were merely used as support for the defendants' violations of state fiduciary laws and were not essential in determining whether or not the defendants breached their fiduciary duties under state law. Then again, in *Fathergill v. Rouleau, et al.*, No. 03CV0879 D (N.D. Tex.), a shareholder derivative suit on behalf of Michaels Stores, Inc., the defendants claimed that the case should be removed to federal court because plaintiff's allegations of federal securities violations had to be adjudicated in order to resolve plaintiff's state law claims. Ms. Schnurer once again successfully argued that the allegations of federal securities violations were peripheral to the state law issues and that the state law allegations did not involve the resolution of a substantial question of federal law. Both cases were remanded and plaintiffs in both actions were awarded their attorneys' fees and costs incurred in connection with defendants' improvident removal. *See Young ex rel. Blockbuster, Inc. v. Antioco*, 2003 U.S. Dist. LEXIS 13786 (N.D. Tex. Aug. 6, 2003); *Fathergill v. Rouleau*, 2003 U.S. Dist. LEXIS 10654 (N.D. Tex. June 23, 2003).

**KELLY M. McINTYRE**

Ms. McIntyre graduated with a Bachelor of Science and Bachelor of Arts degree in

Accounting, from American University in Washington, DC in 1989. After earning her undergraduate degree, Ms. McIntyre practiced in the area of finance and accounting, first as an auditor for Deloitte & Touche, and subsequently as an assistant controller.

In 1997, Ms. McIntyre earned her Master of Business Administration, with a dual concentration in finance and marketing, from the Pepperdine University Graziadio School of Business, graduating first in her class. Thereafter, in 2000, she earned her Juris Doctorate from the Pepperdine University School of Law, where she received the top score in corporations, comparative securities and bankruptcy laws between the U.S. and China, mediation, and water law. Ms. McIntyre simultaneously earned her Master of Dispute Resolution from the Pepperdine University Strauss Institute for Dispute Resolution, in Malibu, California. Ms. McIntyre is licensed to practice in the State of California and the United States District Courts for the Northern, Central and Southern Districts of California.

Upon graduation from law school, Ms. McIntyre began an extensive practice in securities litigation in Long Beach, California. After moving to San Diego, Ms. McIntyre has concentrated her practice in the litigation of complex class actions, securities fraud and shareholder derivative actions.

#### **LOUIS A. KERKHOFF**

Mr. Kerkhoff graduated with a B.A. in Psychology and a minor in Economics from the Louisiana State University in 1998. He earned his law degree at the Louisiana State University, Paul M. Hebert Law Center in 2002, where he was awarded the Center for Computer Assisted Legal Instruction Excellence for the Future Award for the top score in Uniform Commercial Code Sales. While in law school, Mr. Kerkhoff was also a member of the *Louisiana Law*

*Review.*

Since joining the firm, Mr. Kerkhoff has concentrated his practice in the litigation of complex class actions and shareholder derivative actions. Mr. Kerkhoff is licensed to practice law in the State of California.

**STEVEN R. WEDEKING**

Mr. Wedeking earned his Bachelor of Arts Degree in the Plan II Honors Program at the University of Texas in 1998. Mr. Wedeking later earned his law degree from the University of San Diego in 2004, where he received the top score in Civil Procedure and Honors in Evidence Advocacy and Lawyering Skills I. While in law school, Mr. Wedeking clerked for the Office of General Counsel of the Department of the Navy (Research, Development and Acquisitions). Mr. Wedeking's responsibilities at the Pentagon included determining approvability of FOIA requests, ensuring the Navy and defense contractors' compliance with applicable U.S. law, Department of Defense, and Department of the Navy regulations, researching and attending settlement conferences and trials involving the Department of the Navy, and researching and advising on matters related to acquisitions by the Department of the Navy. While at the University of San Diego, Mr. Wedeking also served on the San Diego Law Review, was a recipient of the Academic Achievement Scholarship and won Best Defense Team and Best overall Team in the 2004 ATLA Intramural Mock Trial Competition. Upon graduation, Mr. Wedeking was presented with the 2004 International Academy of Trial Lawyers Award for Excellence in Advocacy and Procedure.

Prior to law school, Mr. Wedeking worked as Network Engineer for GTC Systems in San Diego, California from 2000 until 2002. As a Network Engineer, Mr. Wedeking was certified by

Citrix as an administrator and Microsoft as a Systems Engineer and Instructor. Mr. Wedeking divided his time between instructing other professionals in the networking field and overseeing, troubleshooting, integrating, and installing systems, networks, and solutions for customers that included leading lending institutions, pharmaceutical companies and publishers.

Since joining the firm, Mr. Wedeking has concentrated his practice in the litigation of complex class actions and shareholder derivative actions. Mr. Wedeking is licensed to practice law in the State of California.

**GEOFFREY H. MATRANGA**

Mr. Matranga graduated from the University of California, Davis with a double major, a Bachelor of Arts Degree in Political Science and a Bachelor of Arts Degree in Modern European History, in 2000.

Mr. Matranga received his Juris Doctor from Santa Clara University School of Law in 2004. While attending law school, Mr. Matranga also dedicated himself to helping the patrons of the Katherine and George Community Law Center (formerly known as the East San Jose Community Law Center) with immigration law issues, including the preparation of an asylum case eventually argued before the United States Court of Appeals for the Ninth Circuit.

Since joining the firm, Mr. Matranga has concentrated his practice in the litigation of complex class actions and shareholder derivative actions. Mr. Matranga is licensed to practice law in the State of California.

**SHANE P. SANDERS**

Mr. Sanders received his Bachelor of Arts in Sociology from the University of California at Santa Barbara ("UCSB") in May 2001. He was also a member of UCSB's Division I track and

field team, specializing in the 400-meter dash. In May 2004, he obtained his Juris Doctor from the University of San Diego School of Law ("USD"). During law school, Mr. Sanders worked as a law clerk at the San Diego County Public Defender's Office, where he represented clients in various criminal matters and gained invaluable experience both in and out of the courtroom. He gained further experience in legal writing and oral argument through his participation in USD's Thorsnes Closing Argument Competition and Senior Honors Moot Court Competition. He was also a member of the Sports and Entertainment Law Society and the Association of Trial Lawyers of America.

Since joining the firm, Mr. Sanders has concentrated his practice in the litigation of complex class actions, securities fraud and shareholder derivative actions. Mr. Sanders is licensed to practice law in the state of California.

#### **D. SCOTT CARLTON**

Mr. Carlton received his Bachelor of Arts in Political Science from Yale University ("Yale") in New Haven, Connecticut in May 2001. While attending Yale, Mr. Carlton was a four-year varsity letterman for the men's tennis team and a member of St. Elmo's Society. As an undergraduate, Mr. Carlton also worked as a law clerk for Yale's Jerome N. Frank Legal Services Organization overseeing various legal matters for indigent members of the New Haven community. As a law clerk, Mr. Carlton also assisted Clinical Professor of Law Jean Koh Peters in research for her publication, *Five Habits for Cross Cultural Lawyering*.

In May 2005, Mr. Carlton received his Juris Doctor from the University of San Diego School of Law where he graduated magna cum laude and was selected to the Order of the Coif. During law school, Mr. Carlton was a member of the University of San Diego Law Review and

was a Teacher's Assistant for Civil Procedure I. Mr. Carlton also worked as a law clerk at the San Diego County Public Defender's Office, representing clients in various criminal matters. Additionally, Mr. Carlton clerked for Justice Richard Huffman of the California Court of Appeal, Fourth District, Division One and was a research assistant for Professor Kevin Cole. Before entering law school, Mr. Carlton was a legal assistant for Skadden, Arps, Slate, Meagher & Flom, LLP in Washington, D.C.

Since joining the firm, Mr. Carlton has concentrated his practice in the litigation of securities fraud and shareholder derivative actions. Mr. Carlton is licensed to practice law in the state of California.

#### **PARALEGALS**

##### **CHARLES T. WESTPHAL**

Mr. Westphal graduated *cum laude* in 1994 from Virginia Wesleyan College with a Bachelor of Arts degree with a dual major in History and International Studies. While attending Wesleyan, Mr. Westphal was a four-year varsity letterman in lacrosse and a member of Phi Kappa Tau national fraternity. Mr. Westphal also attended Schiller University in Strasbourg, France, for a semester where he presented his thesis on the effects of the Marshall Plan on the formation of the European Economic Community. As an undergraduate, Mr. Westphal was also a law clerk at the law firm of Waters, McPherson, McNeil, P.C. in Secaucus, N.J., where he engaged in work on various civil litigation matters on behalf of a wide range of Fortune 500 corporate clients.

Prior to joining the Firm, Mr. Westphal was a Senior Case Manager and Analyst at the law firm of Bernstein Litowitz Berger & Grossmann LLP in New York, NY, where he



specialized for twelve years in complex class action securities litigation, coordinating all aspects of a case including electronic discovery, court filings, deposition preparation, legal research and memorandum, and document management. He also performed various financial tasks during his tenure at BLB&G including securities research and investigation, SEC company filings analysis, and global institutional investor portfolio monitoring. In this capacity, Mr. Westphal has been involved in the prosecution of many notable cases where substantial recoveries have been recovered for shareholders, including two of the three largest securities litigation class settlements in history. *See In re WorldCom, Inc. Sec. Litig.*, Case No. 02-3288 (S.D.N.Y.)((\$6.15 billion); *In re Cendant Corp. Litig.*, Case No. 98-1664 (D.N.J.)((\$3.2 billion); *In re Symbol Technologies, Inc. Sec. Litig.*, Case No. 02-1383 (E.D.N.Y.)((\$139 million); *In re OM Group, Inc. Sec. Litig.*, Case No. 1:02CV2163 (N.D. Ohio)((\$92 million); *In re Independent Energy Holdings PLC Sec. Litig.*, Case No. 00 Civ. 6686 (S.D.N.Y) (\$48 million).

#### **KRISTIN E. ZIMMER**

Ms. Zimmer graduated *magna cum laude* from the California State University San Marcos in 1999 with a Bachelor of Arts degree in Liberal Studies and a minor in Sociology. Ms. Zimmer then earned her American Bar Association approved paralegal certificate from the University of California San Diego in 2002.

#### **DAFNE M. MAYTORENA**

Ms. Maytorena graduated from the University of California San Diego in 2002 with a Bachelors of Arts degree in History. Also in 2002, Ms. Maytorena received her American Bar Association approved paralegal certificate from the University of San Diego. Ms. Maytorena is also fluent in Spanish and is pursuing her professional certificate in translation and interpretation

from the University of California San Diego.

**BRIAN N. BRILLO**

Mr. Brillo graduated with a Bachelor of Arts degree in English Literature from San Diego State University in 2001, which included course work in Shakespearean Studies at the University of London Union (UK). In May of 2002, Mr. Brillo received his American Bar Association approved paralegal certificate from the University of San Diego. After obtaining his certificate, Mr. Brillo worked as a plaintiff employment litigation paralegal until joining Robbins Umeda & Fink, LLP as a paralegal in January 2006.

**SEAN M. PUTTICK**

Mr. Puttick graduated with a Bachelor of Arts (with Honors) degree in Economics and Political Science from the University of Leeds (U.K.) in 1997. After college, Mr. Puttick became a Document Clerk at Beasley and Co. Solicitors in Manchester, England. He then moved to London to work for an independent record label, Hooj Choons Ltd., as an assistant to the Director, helping to sign new artists and negotiate contracts with their management. In 2002, Mr. Puttick took a job as an Editorial Assistant at the San Francisco Chronicle where he gained a copy editing qualification. In 2004, Mr. Puttick earned his American Bar Association approved paralegal certificate from New York University. During and after obtaining his certificate, Mr. Puttick worked as a paralegal at Milberg Weiss, assisting in the litigation of several mutual funds securities cases and multi-district litigation in the health care arena. He moved to San Diego in 2005 and joined Robbins Umeda & Fink, LLP as a paralegal.

**KATHERINE B. SCHEELE**

Ms. Scheele graduated from the University of California at San Diego in June of 2003

with a Bachelor of Arts degree in Political Science and Studio Art, with a minor in Spanish Literature. In June of 2005, Ms. Scheele earned her American Bar Association approved paralegal certificate from the University of California San Diego.

## **INVESTIGATORS**

### **CHRISTIAN DUKE**

Mr. Duke heads the Firm's Corporate Research Department. Mr. Duke graduated from the University of California at Berkeley with a Bachelor of Arts degree in History. Mr. Duke also has extensive investigative experience. He developed his investigation skills while working for a number of law firms and two government agencies: the United States District Court, San Francisco Division, and the Habeas Corpus Resource Center (the "HCRC"), an agency within the State of California's Judicial Council.

His most recent position was at the HCRC, an agency whose mission is to provide timely, high quality legal representation for indigent petitioners in death penalty habeas corpus proceedings before the Supreme Court of California and the federal courts. Mr. Duke was selected from more than over a hundred other applicants during a rigorous application process that included an initial interview with the Executive Director, an ad-hoc timed written test and presentation, and then a question and answer session before the panel of Directors and other senior members. This was followed by four intensive group interviews and an extensive background check.

While employed by the HCRC, Mr. Duke conducted complex investigations on behalf of his clients and served as a training resource for those in the legal community. He also co-authored in-house investigation practice guides. He was successful in discovering facts which led

to the development of entirely new claims on cases that had previously been worked over by teams of investigators who failed to identify records and witnesses who were central to supporting case claims.

During Mr. Duke's employment with the HCRC, he received extensive training in investigations. This has allowed him to master all the primary investigative databases and other numerous software programs in order to aggregate, organize, and filter relevant data in order to substantiate legal claims. His witness interviewing skills were also refined during his employment with the HCRC at which time he conducted numerous field interviews throughout the country. He earned a reputation within his office for being able to establish a strong rapport with a broad demographic of witnesses in order to secure the necessary documentation to support and develop new claims. One of his Deputy Directors, a highly respected attorney within the national community of Habeas Corpus practitioners, circulated one of his declarations office-wide as a model declaration both for the depth of the documents' subject matter he secured as a result of his investigations, and for the quality of writing. Additionally, he received intensive formal training in-house, as part of multi-agency training programs, and via regular conference attendance. His record collection skills are also first rate; having received extensive training and experience in court-searching techniques and protocol development to ensure all investigations are conducted properly. He has obtained public records from a broad spectrum of governmental agencies utilizing such rights of access as FOIA, and through various private records holders.

Prior to his employment with the HCRC, Mr. Duke, under the Criminal Justice Act, received a special-appointment by a United States District Court judge to act as a liaison between a high-profile defendant and the Court during a multi-defendant federal RICO case. In the course

of his duties, he was granted the distinction of being allowed to represent his client's interests in open federal court despite holding no law degree. He regularly interfaced with Justice Department officials including members of the Federal Bureau of Investigation, the United States Attorneys' Office, the United States Marshals, and various other government officials. He hired and selected an outside investigator to assist him with the investigation and personally conducted witness interviews. He also assisted in the coordination of discovery; attended all in-chambers hearings; pretrial hearings and coordinated and represented his client at all joint counsel meetings, and worked with the Chief Investigator for the Federal Public Defender of the Central District of California. The case ended after he initiated a plea agreement with the United States Attorney's office and secured federal protection for his client.

Mr. Duke's legal experience prior to his work at the HCRC and for the United States District Court included both pretrial and trial support in civil and criminal cases in both state and federal court which included: factual and legal research, motion drafting, witness memorandums, creating trial presentations, issue review, discovery coordination, and client interviews.

# EXHIBIT B



**Firm Profile for Hollister & Brace,  
A Professional Corporation**

**Hollister & Brace,  
A Professional Corporation**  
1126 Santa Barbara Street, P.O. Box 630  
Santa Barbara, California 93101  
(Santa Barbara Co.)

Telephone: 805-963-6711  
Fax: 805-965-0329  
Web Site: <http://www.hbsb.com>

(Main Office)

**Firm Profile**

**Hollister & Brace,  
A Professional Corporation practices in the following areas of law:**  
Civil Litigation (including complex and class actions), Business and Taxation, Employment, Environmental, Real Property, Land Use and Development, Eminent Domain, Mining, Oil and Gas, Construction, Probate, Trusts and Estate Planning, Intellectual Property and Licensing, International Business Transactions, Insurer Insolvency and Liquidation.

**Year Established:** 1966

**Firm Profile:**  
Hollister & Brace was founded in 1966 by William A. Brace and J.J. Hollister III. Cases recently brought to a successful conclusion by Hollister & Brace include large class-action suits against fraudulent insurance companies. The firm was counsel for the property owners in two landmark California Supreme Court land use cases, *Citizens of Goleta Valley v. Board of Supervisors* (Hyatt) (1990), and *Morehart v. County of Santa Barbara* (1994). The firm also served as lead counsel for the successful oil companies in the Pt. Arguello crude oil transportation litigation.

**Firm Size:** 10

**Clients:**  
ATTORNEYS FOR: Agipkco; Bacara Resort & Spa; BHP Billiton; Boeing Company; Brown Resources, Inc.; Buellflat Rock Co.; California Independent Petroleum Assn.; Celite Corp.; Chandlery, Inc.; Chevron Texaco; Conoco Phillips; Del Webb Corporation; Environmental Research Foundation, Inc.; Essex Electronics, Inc.; Eye Surgical Medical Group, Inc.; First American Title Insurance Co.; Gainey Vineyards; Gaviota Marine Terminal Co.; General Defense Systems; Granite Construction Co.; Great Universal Capital Corp.; Ian Schrager Hotels, LLC.; KBS Investments; Marborg Disposal, Inc.; Maritime Museum; Michealsen Bros., Inc.; Miramar Hotel; Mobil Oil Corp.; Morehart Land Co.; Nerepis Co.; Occidental Petroleum Corp.; Oryx Energy Co.; Pacific Realty Group; Peter Ellenshaw, Inc.; Plains Exploration & Production; Pt. Arguello Pipeline Co.; Rosario Curletti Trust; R.J. Carroll & Sons, Inc.; Santa Barbara County Rock Producers Assn.; Santa Barbara Trust for Historic Preservation; Starbuck, Tisdale & Associates; Union Asphalt; VENOCO, Inc.; Vetronix Corp.; Vintage Communities, Inc.; Vintage Petroleum, Inc.; Wallover, Inc.; Western States Petroleum Assn.; World Minerals Corp.; Yardi Systems, Inc.

**References:**  
Business First National Bank; Mid-State Bank & Trust; Northern Trust Bank of California; Santa Barbara Bank & Trust.

**William A. Brace, (Member) (Retired). AV Peer Review Rated**

**J. James Hollister, III, (Member) (Retired).**

**John S. Poucher, (Member)** born Los Angeles, California, April 16, 1941; admitted to bar, 1967, California; 1973, U.S. District Court, Northern District of California; 1984, U.S. Court of Appeals, Ninth Circuit. **Education:** University of California at Berkeley (A.B., 1963); University of California at Los Angeles (J.D., 1966). Phi Delta Phi. Member, Board of Editors, U.C.L.A. Law Review, 1964-1966. Law Clerk to Former Justice Alfred T. Goodwin, Oregon Supreme Court, 1966-1967. **Member:** Santa Barbara County

Bar Associations; State Bar of California. **Practice Areas:** General Civil Litigation; Corporate Law; Real Estate Law; International Business Transactions; Intellectual Property. **AV Peer Review Rated**

**Richard C. Monk**, (Member) born Santa Barbara, California, August 3, 1943; admitted to bar, 1971, California. **Education:** University of California at Santa Barbara (B.A., 1965); University of San Francisco (J.D., 1970). Member, University of San Francisco Law Review, 1969-1970. Director, 1983-1989, Chairman of the Board, 1988, Santa Barbara Chamber of Commerce. Trustee Emeritus, Santa Barbara Foundation. **Member:** Santa Barbara County and American Bar Associations; State Bar of California. [1st Lt., U.S. Army, 1965-1967]. **Reported Cases:** Citizens of Goleta Valley v. Board of Supervisors (1988) 197 Cal. App. 3d 1167; Citizens of Goleta Valley v. Board of Supervisors (1990) 52 Cal 3d 553; Morehart v. County of Santa Barbara (1994) 7 Cal 4th 725. **Practice Areas:** Real Estate Law; Land Use Law; Administrative Law; Environmental Law; Condemnation Litigation; Civil Litigation. **AV Peer Review Rated**

**Steven Evans Kirby**, (Member) born Burbank, California, October 9, 1945; admitted to bar, 1972, California. **Education:** University of Oregon (B.S., 1967); University of San Francisco (J.D., cum laude, 1971). Member, McAuliffe Law Honor Society. Editor-in-Chief, University of San Francisco Law Review, 1970-1971. **Member:** Santa Barbara County (President, 1984) and American (Member, Sections on: Natural Resources and Litigation) Bar Associations; State Bar of California. **Practice Areas:** Natural Resources Law; Oil and Gas; Mining; Land Use; Environmental; Civil Litigation. **AV Peer Review Rated**

**Bradford F. Ginder**, (Member) born Los Angeles, California, December 29, 1947; admitted to bar, 1975, California. **Education:** University of California at Santa Barbara (B.A., 1970; M.A., 1971); University of Munich, West Germany; University of Southern California (J.D., 1975). **Member:** Santa Barbara County (President, 1993) and American Bar Associations (Sections on: Tort and Insurance Law, Labor and Employment Law); State Bar of California (Section on Litigation); Consumer Attorneys of California. **Practice Areas:** Civil Litigation; Employment Law; Construction Law; Insurance. **AV Peer Review Rated**

**John G. Busby**, (Member) born St. Louis, Missouri, January 4, 1953; admitted to bar, 1978, Texas; 1979, U.S. Tax Court; 1981, California. **Education:** Claremont McKenna College (B.A., cum laude, 1975); University of Virginia (J.D., 1978). **Member:** Santa Barbara County and American (Member, Section on Taxation) Bar Associations; State Bar of California; State Bar of Texas. **Practice Areas:** Taxation Law; Estate Planning; Real Estate Law; Corporate Law; International Business Law; General Business Transactions; Intellectual Property Licensing. **AV Peer Review Rated**

**Susan H. McCollum**, (Member) born Ogden, Utah, August 16, 1955; admitted to bar, 1982, Utah and U.S. District Court, District of Utah; 1983, California; 1984, U.S. Court of Appeals, Ninth Circuit; 1985, U.S. District Court, Central District of California. **Education:** Weber State College (A.A.S., 1975; B.S., 1979); Brigham Young University (J.D., 1982). Phi Kappa Phi; Phi Delta Phi. Member, Journal of Legal Studies, 1982. Director and President, Santa Barbara Women Lawyers, 1989-1992. **Member:** Santa Barbara County (Director, 1994, 1996-2000; Officer, 1996-1998; President, 1999) Bar Associations; Utah State Bar; State Bar of California; Santa Barbara Inns of Court (Barrister, 1996-1998; Master, 1999-2000). **Practice Areas:** General Civil Litigation; Contract Law; Tort Law; Business Litigation; Estate Planning; Probate; Trust Law. **AV Peer Review Rated**

**Robert L. Brace**, (Member) born Santa Ana, California, July 18, 1957; admitted to bar, 1985, California; U.S. District Court, Central, Eastern and Southern Districts of California; U.S. Court of Appeals, Second and Ninth Circuits. **Education:** University of California at Berkeley (B.A., with honors, 1979); University of Colorado (J.D., 1985). Lecturer: Meeting of IAIR on Standing of the Liquidator, Kansas City, MD, June 1999; Meeting of LAIR on Recovery of Assets to Pay Claims, Budapest, Hungary, June 2001. **Member:** Santa Barbara County Bar Association; State Bar of California (Committee on State Bar Approved Professional, Liability Insurance); International Association of Insurance Receivers; International Association of Insurance Fraud Agencies; William Gordon Inn of Court. **Reported Cases:** Bailey, et al. v. Empire Blue Cross/Blue Shield, et al., 856 F. Supp. 837 (S.D.N.Y. 1994); Janice Loyd as Trustee and Liquidator of First Assurance v. Aguilar & Sebastianelli, et al., 208 F.3d 75 (9th Cir. 2000); General Insurance Company of America v. Stephen Rhodes, 196 F.R.D. 620 (D.N.M. 2000); John C. Craft, Special Deputy Liquidator of Meadowlark Insurance Company v. Sunwest Bank of Albuquerque, N.A., n/k/a NationsBank, 84 F.Supp. 2d 1226 (D.N.M. 1999). **Practice Areas:** Civil Litigation; Insurance Insolvency. **AV Peer Review Rated**

**Marcus Scott Bird**, (Member) born Paris, France, January 19, 1958; admitted to bar, 1990, California and U.S. District Court, Central District of California; 1991, U.S. Court of Appeals, Ninth Circuit; 1992, U.S. District Court, Eastern District of California. **Education:** Haverford College (B.A., 1981); U.C.L.A. (M.A., 1985); Stanford University (J.D., 1989). Associate Editor, Stanford Law Review, 1988-1989. Law Clerk to the Honorable Edward Rafeedie, U.S. District Judge, Central District of California, 1989-1990. Extern to the Honorable Stephen Reinhardt, U.S. Ninth Circuit Court of Appeals, 1988. **Member:** Santa Barbara County Bar Association; State Bar of California. **Languages:** French and German. **Practice Areas:** Civil Litigation. **AV Peer Review Rated**

**Peter L. Candy**, (Member) born Los Angeles, California, October 7, 1964; admitted to bar, 1990, California, U.S. District Court, Northern District of California and U.S. Court of Appeals, Ninth Circuit. **Education:** University of the Pacific (B.A., 1986); Santa Clara University (J.D., 1990). Clerk to the Honorable Ira A. Brown, Jr., Law & Motion, San Francisco Superior Court. **Member:** Santa Barbara County and American Bar Associations; State Bar of California. **Practice Areas:** Land Use; Environmental Law;



Natural Resources; Water Law; Administrative Law; Real Property; Civil Litigation. **BV Peer Review Rated**

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**Michael P. Denver**, (Associate) born New York, N.Y., September 14, 1970; admitted to bar, 1998, California and U.S. District Court, Southern District of California; 2003, U.S. District Court, Central District of California. **Education:** University of California at Los Angeles (B.A., History, 1993); Boston University, Boston, Massachusetts and Brussels, Belgium (M.A., International Relations, 1995); University of San Diego (J.D., 1998). **Member:** Santa Barbara County Bar Association. **Practice Areas:** Litigation; Insurance Insolvency.

# EXHIBIT C

**ROBBINS UMEDA & FINK, LLP****SONY CONSUMER LITIGATION**

From Inception to March 31, 2006

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Brian Robbins	(P)	17	\$475	\$8,075.00
Steve Wedeking	(A)	28.5	\$270	\$7,695.00
Robert Schauble	(A)	14	\$285	\$3,990.00
Christian Duke	(I)	.25	\$275	\$68.75
Dafne Maytorena	(PL)	2	\$185	\$370.00
Katherine Scheele	(PL)	3.25	\$170	\$552.50
Sean Puttick	(PL)	35.25	\$170	\$5,299.50
Dan Forde	(LC)	2	\$185	\$370.00
Conrad Stephens	(DC)	1.5	\$125	\$187.50
Kristen Kacamburas	(DC)	.5	\$125	\$62.50
<b><i>TOTAL:</i></b>		<b><i>104.25</i></b>		<b><i>\$26,608.25</i></b>

(P) Partner

(A) Attorney

(LC) Law Clerk

(I) Investigator

(PL) Paralegal

(DC) Document Clerk

# EXHIBIT D

**HOLLISTER & BRACE**  
**SONY CONSUMER LITIGATION**

From Inception to March 30, 2006

<i>NAME</i>		<i>HOURS</i>	<i>RATE</i>	<i>LODESTAR</i>
Robert L. Brace	(P)	1.0	\$400	\$400.00
Michael P. Denver	(A)	6.50	\$250	\$1,625.00
<b><i>TOTAL:</i></b>		<b><i>7.50</i></b>		<b><i>\$2,025.00</i></b>

(P) Partner

(A) Attorney

# EXHIBIT E

**ROBBINS UMEDA & FINK, LLP**

**SONY CONSUMER LITIGATION**

***EXPENSES***

From Inception to March 30, 2006

<b><i>DISBURSEMENT</i></b>	<b><i>TOTAL</i></b>
Meals, Hotels & Transportation	\$39.99
Photocopies	\$36.75
Postage	\$12.90
Telephone, Facsimile	\$63.04
Messenger, Overnight Delivery	\$14.56
Filing, Witness & Other Fees	\$82.50
Lexis, Westlaw, Online Library Research	\$632.54
<b><i>TOTAL</i></b>	<b><i>\$882.28</i></b>

# EXHIBIT F



**HOLLISTER & BRACE**  
**SONY CONSUMER LITIGATION**  
***EXPENSES***

From Inception to March 30, 2006

<b><i>DISBURSEMENT</i></b>	<b><i>TOTAL</i></b>
Messenger, Overnight Delivery	\$14.83
Filing, Witness & Other Fees	\$851.00
<b><i>TOTAL</i></b>	<b><i>\$865.83</i></b>